

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

Drawing Amendments

The attached sheet of drawings includes changes to Fig. 2
This sheet which includes Figs. 1 and 2, replaces the original
sheet including Figs. 1 and 2. In Fig. 2, previously omitted
vacuum pump was added and given reference symbol 64.

Please approve the drawing changes that are marked in red on
the accompanying "Annotated Sheet Showing Changes" of Fig 2.
A formal "Replacement Sheet" of amended Fig. 2 is also
enclosed.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-12 remain in the application. Claims 1, 6, 7, 9, and 10 have been amended.

In item 1 on page 2 of the above-identified Office action, the drawings have been objected to under 37 CFR 1.83(a).

The Examiner stated that the vacuum pump of claim 1 must be shown or cancelled from the claim. Fig 2. has been changed so as to include a vacuum pump, which is designated by reference numeral "64". Therefore, the objection to the drawings by the Examiner has been overcome.

In item 2 on page 3 of the Office action, the disclosure has been objected to because of the following informalities.

The Examiner stated that the vacuum pump should be identified in the specification using a reference numeral. The specification has been amended so as to include reference numeral "64" for the vacuum pump. Accordingly, the objection to the specification by the Examiner has been overcome.

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

In item 3 on page 3 of the above-identified Office action, claims 1-12 have been rejected as being indefinite under 35 U.S.C. § 112.

The Examiner alleges that in claims 1 and 6, it is unclear what is meant by the recitation "a mechanical action of force". Claims 1 and 6 have been amended so as to facilitate prosecution of the claims. Therefore, the rejection is believed to have been overcome.

The Examiner alleges that in claim 6, it is unclear how many pistons are claimed. Claim 6 has been amended so as to clarify the claim. Therefore, the rejection is believed to have been overcome.

The Examiner alleges that in claim 7, it is unclear what is meant by "a bush". Applicants respectfully disagree with the Examiner. More specifically, as seen in Webster's 3rd New World Dictionary, the term bush is synonymous with the term bushing. Accordingly, the term bush means bushing. Therefore, claim 7 has not been amended to overcome the rejection.

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

The Examiner alleges that in claim 9, it is unclear what is meant by an action of force. Claim 9 has been amended so as to further clarify the claim. Therefore, the rejection is believed to have been overcome.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In item 4 on page 4 of the Office action, claims 1-12 have been rejected as being fully anticipated by Helmstädter et al. (U.S. Patent No. 6,038,976) (hereinafter "Helmstädter") under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims 1-5 were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

The rejection of claim 6 has been noted and the claim has been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 18, lines 1-7 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, *inter alia*:

opening and closing the suction ducts by manipulating valves, the valves being closed by a force from a mechanical actuator, and the valves being opened by an action of compressed air on a piston in each of the valves.

It is noted that the corporate assignee of the Helmstädter reference is also the assignee of the instant application. Therefore, applicants are very familiar with the Helmstädter reference.

The Helmstädter reference discloses a suction air control device for controlling suction air. Helmstädter discloses that valves are opened and close with a pneumatic force.

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

The reference does not show opening and closing the suction ducts by manipulating valves, the valves being closed by a force from a mechanical actuator, and the valves being opened by an action of compressed air on a piston in each of the valves, as recited in claim 1 of the instant application. The Helmstädter reference discloses that valves are pneumatically controlled. Helmstädter does not disclose closing a valve with a mechanical actuator. This is contrary to the invention of the instant application as claimed, which recites opening and closing the suction ducts by manipulating valves, the valves being closed by a force from a mechanical actuator, and the valves are opened by an action of compressed air on a piston in each of the valves.

Since claim 1 is believed to be allowable over Helmstädter, dependent claims 2-5 are believed to be allowable over Helmstädter as well.

The following further remarks pertain to claim 6.

Claim 6 calls for, *inter alia*:

the valves being opened by compressed air acting on the pistons, and a mechanical actuator configured to selectively

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

push the piston rods into the valve block for closing selected ones of the valves.

The reference does not show the valves being opened by compressed air acting on the pistons, and a mechanical actuator configured to selectively push the piston rods into the valve block for closing selected ones of the valves, as recited in claim 6 of the instant application. The Helmstädter reference discloses that valves are pneumatically controlled. Helmstädter does not disclose closing a valve with a mechanical actuator. This is contrary to the invention of the instant application as claimed, in which the valves are opened by compressed air acting on the pistons, and a mechanical actuator is configured to selectively push the piston rods into the valve block for closing selected ones of the valves.

Since claim 6 is believed to be allowable over Helmstädter, dependent claims 7-12 are believed to be allowable over Helmstädter as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 6. Claims 1 and 6 are, therefore, believed to be patentable over the art and

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

since all of the dependent claims are ultimately dependent on claims 1 or 6, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-12 are solicited.

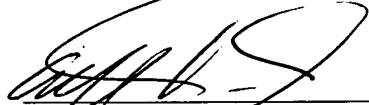
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Applic. No. 10/717,415
Amdt. dated November 17, 2006
Reply to Office action of August 17, 2006

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



For Applicant(s)

Alfred K. Dassler
52,794

AKD:cgm

November 17, 2006

Lerner Greenberg Stemer LLP
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101



1/4

